

Calendar No. 581

109TH CONGRESS
2^D SESSION**S. 1838**

To provide for the sale, acquisition, conveyance, and exchange of certain real property in the District of Columbia to facilitate the utilization, development, and redevelopment of such property, and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 6, 2005

Mr. VOINOVICH (for himself and Ms. COLLINS) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

AUGUST 3, 2006

Reported by Ms. COLLINS, with amendments

A BILL

To provide for the sale, acquisition, conveyance, and exchange of certain real property in the District of Columbia to facilitate the utilization, development, and redevelopment of such property, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Federal and District
5 of Columbia Government Real Property Act of 2005”.

1 **SEC. 2. CONGRESSIONAL REPORTS AND REVERSION.**

2 (a) *DISTRICT OF COLUMBIA.*—Not later than January
 3 31 of each year, the Mayor of the District of Columbia shall
 4 report to the Committee on Homeland Security and Gov-
 5 ernmental Affairs of the Senate and the Committee on Gov-
 6 ernment Reform, the Committee on Energy and Commerce,
 7 and the Committee on Transportation and Infrastructure
 8 of the House of Representatives on the use and development
 9 during the previous year of land transferred pursuant to
 10 this Act.

11 (b) *GOVERNMENT ACCOUNTABILITY OFFICE.*—Not
 12 later than January 31 of each even numbered year, the Gov-
 13 ernment Accountability Office shall report to the Committee
 14 on Homeland Security and Governmental Affairs of the
 15 Senate and the Committee on Government Reform, the
 16 Committee on Energy and Commerce, and the Committee
 17 on Transportation and Infrastructure of the House of Rep-
 18 resentatives on—

19 (1) *the use and development during the previous*
 20 2 *years of land transferred pursuant to this Act; and*

21 (2) *how such use and development complies with*
 22 *the Anacostia Waterfront Initiative Framework Plan.*

23 (c) *SUNSET.*—This section shall expire 10 years after
 24 the date of enactment of this Act.

1 **TITLE I—REAL PROPERTY CON-**
 2 **VEYANCES BETWEEN THE**
 3 **GENERAL SERVICES ADMINIS-**
 4 **TRATION AND THE DISTRICT**
 5 **OF COLUMBIA**

6 **SEC. 101. EXCHANGE OF TITLE OVER RESERVATION 13 AND**
 7 **CERTAIN OTHER PROPERTIES.**

8 (a) CONVEYANCE OF PROPERTIES.—

9 (1) IN GENERAL.—On the date on which the
 10 District of Columbia conveys to the Administrator of
 11 General Services all right, title, and interest of the
 12 District of Columbia in the property described in
 13 subsection (c), the Administrator shall convey to the
 14 District of Columbia all right, title, and interest of
 15 the United States in—

16 (A) U.S. Reservation 13, subject to the
 17 conditions described in subsection (b); and

18 (B) Old Naval Hospital.

19 (2) PROPERTIES DEFINED.—In this section—

20 (A) the term “U.S. Reservation 13” means
 21 that parcel of land in the District of Columbia
 22 consisting of the approximately 66 acres which
 23 is bounded on the north by Independence Ave-
 24 nue Southeast, on the west by 19th Street
 25 Southeast, on the south by G Street Southeast,

and on the east by United States Reservation 343, and being the same land described in the Federal transfer letter of October 25, 2002, from the United States to the District of Columbia, and subject to existing matters of record; and

(B) the term “Old Naval Hospital” means the property in the District of Columbia consisting of Square 948 in its entirety, together with all the improvements thereon.

(b) CONDITIONS FOR CONVEYANCE OF RESERVATION

13.—As a condition for the conveyance of U.S. Reservation 13 to the District of Columbia under this section, the District of Columbia shall agree—

(1) to set aside a portion of the property for the extension of Massachusetts Avenue Southeast and the placement of a potential commemorative work to be established pursuant to chapter 89 of title 40, United States Code, at the terminus of Massachusetts Avenue Southeast (as so extended) at the Anacostia River;

(2) to convey all right, title, and interest of the District of Columbia in the portion set aside under paragraph (1) to the Secretary of the Interior (acting through the Director of the National Park Serv-

1 ice) at such time as the Secretary may require, if a
 2 commemorative work is established in the manner
 3 described in paragraph (1); ~~and~~

4 (3) to permit the Court Services and Offender
 5 Supervision Agency for the District of Columbia to
 6 continue to occupy a portion of the property con-
 7 sistent with the requirements of the District of Co-
 8 lumbia Appropriations Act, 2002 (Public Law 107–
 9 96; 115 Stat. 931); *and*

10 (4) *to develop the property consistent with the*
 11 *Anacostia Waterfront Corporation's Master Plan for*
 12 *Reservation 13 (also known as the Hill East Water-*
 13 *front).*

14 (c) DISTRICT OF COLUMBIA PROPERTY TO BE CON-
 15 VEYED TO THE ADMINISTRATOR.—The property described
 16 in this subsection is the real property consisting of Build-
 17 ing Nos. 16, 37, 38, 118, and 118–A and related improve-
 18 ments, together with the real property underlying those
 19 buildings and improvements, on the West Campus of Saint
 20 Elizabeths Hospital, as described in the quitclaim deed of
 21 September 30, 1987, by and between the United States
 22 and the District of Columbia and recorded in the Office
 23 of the Recorder of Deeds of the District of Columbia on
 24 October 7, 1987.

1 (d) LIMITATION ON ENVIRONMENTAL LIABILITY.—

2 Notwithstanding any other provision of law—

3 (1) the District of Columbia shall not be re-
4 sponsible for any environmental liability, response
5 action, remediation, corrective action, damages,
6 costs, or expenses associated with the property for
7 which title is conveyed to the Administrator of Gen-
8 eral Services under this section; and

9 (2) all environmental liability, responsibility, re-
10 mediation, damages, costs, and expenses as required
11 by applicable Federal, State and local law, including
12 the Comprehensive Environmental Response, Com-
13 pensation and Liability Act (42 U.S.C. 9601 et
14 seq.), the Federal Water Pollution Control Act
15 (known as Clean Water Act) (33 U.S.C. 1251 et
16 seq.), the Clean Air Act (42 U.S.C. 7401 et seq.),
17 the Solid Waste Disposal Act (42 U.S.C. 6901 et
18 seq.), the Rivers and Harbors Act (33 U.S.C. 540
19 et seq.), the Toxic Substances Control Act (15
20 U.S.C. 2601, et seq.), and the Oil Pollution Act (33
21 U.S.C. 2701 et seq.) for such property shall be
22 borne by the United States, which shall conduct all
23 environmental activity with respect to such prop-
24 erties, and bear any and all costs and expenses of
25 any such activity.

1 **SEC. 102. TERMINATION OF CLAIMS.**

2 (a) IN GENERAL.—Notwithstanding any other provi-
 3 sion of law, the United States is not required to perform,
 4 or to reimburse the District of Columbia for the cost of
 5 performing, any of the following services:

6 (1) Repairs or renovations pursuant to section
 7 4(f) of the Saint Elizabeths Hospital and District of
 8 Columbia Mental Health Services Act (24 U.S.C.
 9 225b(f); sec. 44–903(f), D.C. Official Code).

10 (2) Preservation, maintenance, or repairs pur-
 11 suant to a use permit executed on September 30,
 12 1987, under which the United States (acting
 13 through the Secretary of Health and Human Serv-
 14 ices) granted permission to the District of Columbia
 15 to use and occupy portions of the Saint Elizabeths
 16 Hospital property known as the “West Campus”.

17 (3) Mental health diagnostic and treatment
 18 services for referrals as described in section 9(b) of
 19 the Saint Elizabeths Hospital and District of Colum-
 20 bia Mental Health Services Act (24 U.S.C. 225g(b);
 21 sec. 44–908(b), D.C. Official Code), but only with
 22 respect to services provided on or before the date of
 23 the enactment of this Act.

24 (b) EFFECT ON PENDING CLAIMS.—Any claim of the
 25 District of Columbia against the United States for the fail-
 26 ure to perform, or to reimburse the District of Columbia

1 for the cost of performing, any service described in sub-
 2 section (a) which is pending as of the date of the enact-
 3 ment of this Act shall be extinguished and terminated.

4 **TITLE II—STREAMLINING MAN-**
 5 **AGEMENT OF PROPERTIES**
 6 **LOCATED IN THE DISTRICT**
 7 **OF COLUMBIA**

8 **SEC. 201. TRANSFER OF ADMINISTRATIVE JURISDICTION**
 9 **OVER CERTAIN PROPERTIES.**

10 (a) TRANSFER OF ADMINISTRATIVE JURISDICTION
 11 FROM DISTRICT OF COLUMBIA TO UNITED STATES.—

12 (1) IN GENERAL.—Administrative jurisdiction
 13 over each of the following properties (owned by the
 14 United States and as depicted on the Map) is hereby
 15 transferred, subject to the terms in this subsection,
 16 from the District of Columbia to the Secretary of
 17 the Interior for administration by the Director:

18 (A) An unimproved portion of Audubon
 19 Terrace Northwest, located east of Linnean Av-
 20 enue Northwest, that is within U.S. Reservation
 21 402 (National Park Service property).

22 (B) An unimproved portion of Barnaby
 23 Street Northwest, north of Aberfoyle Place
 24 Northwest, that abuts U.S. Reservation 545
 25 (National Park Service property).

(C) A portion of Canal Street Southwest, and a portion of V Street Southwest, each of which abuts U.S. Reservation 467 (National Park Service property).

(D) Unimproved streets and alleys at Fort Circle Park located within the boundaries of U.S. Reservation 497 (National Park Service property).

(E) An unimproved portion of Western Avenue Northwest, north of Oregon Avenue Northwest, that abuts U.S. Reservation 339 (National Park Service property).

(F) An unimproved portion of 17th Street Northwest, south of Shepherd Street Northwest, that abuts U.S. Reservation 339 (National Park Service property).

(G) An unimproved portion of 30th Street Northwest, north of Broad Branch Road Northwest, that is within the boundaries of U.S. Reservation 515 (National Park Service property).

(H) Subject to paragraph (2), lands over I-395 ~~at Washington Avenue Southwest~~ *bordered by Washington Street Southwest, 2nd Street Southwest, and the C Street Southwest ramps to I-295.*

1 (I) A portion of U.S. Reservation 357 at
 2 Whitehaven Parkway Northwest, previously
 3 transferred to the District of Columbia in con-
 4 junction with the former proposal for a resi-
 5 dence for the Mayor of the District of Colum-
 6 bia.

7 (2) USE OF CERTAIN PROPERTY FOR MEMO-
 8 RIAL.—In the case of the property for which admin-
 9 istrative jurisdiction is transferred under paragraph
 10 (1)(H), the property shall be used as the site for the
 11 establishment of a memorial to honor disabled vet-
 12 erans of the United States Armed Forces authorized
 13 to be established by the Disabled Veterans' LIFE
 14 Memorial Foundation by Public Law 106–348 (114
 15 Stat. 1358; 40 U.S.C. 8903 note), except that the
 16 District of Columbia shall retain administrative ju-
 17 risdiction over the subsurface area beneath the site
 18 for the tunnel, walls, footings, and related facilities
 19 Stat. 1358; 40 U.S.C. 8903 note), except that—

20 (A) the District of Columbia shall retain
 21 administrative jurisdiction over the subsurface
 22 area beneath the site for the tunnel, walls, foot-
 23 ings, and related facilities;

24 (B) C Street Southwest between 2nd Street
 25 Southwest and Washington Street Southwest

1 *shall not be constructed without the approval of*
 2 *the Architect of the Capitol; and*

3 *(C) a walkway shall be included across the*
 4 *memorial site between 2nd Street Southwest and*
 5 *Washington Street Southwest.*

6 (3) *ADDITIONAL TRANSFER.*—*Administrative ju-*
 7 *risdiction over the parcel bordered by 2nd Street*
 8 *Southwest, the C Street Southwest ramp to I-295, the*
 9 *D Street Southwest ramp to I-395, and I-295 is*
 10 *transferred as follows:*

11 *(A) The northernmost 0.249 acres are trans-*
 12 *ferred to the Secretary of Interior who shall, sub-*
 13 *ject to the approval of the Architect of the Cap-*
 14 *itol, landscape the property or use it for special*
 15 *needs parking for the memorial.*

16 *(B) The southernmost 0.457 acres are trans-*
 17 *ferred to the Architect of the Capitol.*

18 *The District of Columbia shall retain administrative*
 19 *jurisdiction over the subsurface area beneath the sites*
 20 *described in subparagraphs (A) and (B) for the tun-*
 21 *nel, walls, footings, and related facilities.*

22 (b) *TRANSFER OF ADMINISTRATIVE JURISDICTION*
 23 *FROM UNITED STATES TO DISTRICT OF COLUMBIA.*—*Ad-*
 24 *ministrative jurisdiction over the following property owned*
 25 *by the United States and depicted on the Map is hereby*

1 transferred from the Secretary to the District of Columbia
 2 for administration by the District of Columbia:

3 (1) A portion of U.S. Reservation 451.

4 (2) A portion of U.S. Reservation 404.

5 (3) U.S. Reservations 44, 45, 46, 47, 48, and
 6 49.

7 (4) U.S. Reservation 251.

8 (5) U.S. Reservation 8.

9 (6) U.S. Reservations 277A and 277C.

10 (7) Portions of U.S. Reservation 470.

11 (c) EFFECTIVE DATE.—The transfers of administra-
 12 tive jurisdiction under this section shall take effect on the
 13 date of the enactment of this Act.

14 **SEC. 202. EXCHANGE OF TITLE OVER CERTAIN PROP-**
 15 **ERTIES.**

16 (a) CONVEYANCE OF TITLE.—

17 (1) IN GENERAL.—On the date on which the
 18 District of Columbia conveys to the Secretary all
 19 right, title, and interest of the District of Columbia
 20 in each of the properties described in subsection (b)
 21 for use as described in such subsection, the Sec-
 22 retary shall convey to the District of Columbia all
 23 right, title, and interest of the United States in each
 24 of the properties described in subsection (c).

1 (2) ADMINISTRATION BY NATIONAL PARK SERV-
 2 ICE.—The properties conveyed by the District of Co-
 3 lumbia to the Secretary under this section shall be
 4 administered by the Director upon conveyance.

5 (b) PROPERTIES TO BE CONVEYED TO THE SEC-
 6 RETARY; USE.—The properties described in this sub-
 7 section and their uses are as follows (as depicted on the
 8 Map):

9 (1) Lovers Lane Northwest, abutting U.S. Res-
 10 ervation 324, for the closure of a one-block long
 11 roadway adjacent to Montrose Park.

12 (2) Needwood, Niagara, and Pitt Streets North-
 13 west, within the Chesapeake and Ohio Canal Na-
 14 tional Historical Park, for the closing of the rights-
 15 of-way now occupied by the Chesapeake and Ohio
 16 Canal.

17 (c) PROPERTIES TO BE CONVEYED TO THE DISTRICT
 18 OF COLUMBIA.—The properties described in this sub-
 19 section are as follows (as depicted on the Map):

20 (1) U.S. Reservation 17A.

21 (2) U.S. Reservation 484.

22 (3) U.S. Reservations 243, 244, 245, ~~and 247~~
 23 247, *and* 248.

24 (4) U.S. Reservations 128, 129, 130, 298, and
 25 299.

1 (5) Portions of U.S. Reservations 343D and
 2 343E.

3 (6) U.S. Reservations 721, 722, and 723.

4 **SEC. 203. CONVEYANCE OF UNITED STATES RESERVATION**
 5 **174.**

6 (a) CONVEYANCE; USE.—If the District of Columbia
 7 enacts a final plan for the development of the former Con-
 8 vention Center Site which meets the requirements of sub-
 9 section (b)—

10 (1) the Secretary shall convey all right, title,
 11 and interest of the United States in U.S. Reserva-
 12 tion 174 (as depicted on the Map) to the District of
 13 Columbia upon the enactment of such plan; and

14 (2) the District shall use the property so con-
 15 veyed in accordance with such plan.

16 (b) REQUIREMENTS FOR DEVELOPMENT PLAN.—
 17 The plan for the development of the former Convention
 18 Center Site meets the requirements of this subsection if—

19 (1) the plan is developed through a public proc-
 20 ess;

21 (2) during the process for the development of
 22 the plan, the District of Columbia considers at least
 23 one version of the plan under which ~~the entire por-~~
 24 ~~tion of U.S. Reservation 174 which is set aside as~~
 25 *U.S. Reservation 174 is set aside as public open*

1 space as of the date of the enactment of this Act
 2 shall continue to be set aside as open space (includ-
 3 ing a version under which facilities are built under
 4 the surface of such portion); and

5 (3) not less than 1¼ acres of the former Con-
 6 vention Center Site are set aside for *public* open
 7 space under the plan.

8 (c) FORMER CONVENTION CENTER SITE DE-
 9 FINED.—In this section, the “former Convention Center
 10 Site” means the parcel of land in the District of Columbia
 11 which is bounded on the east by 9th Street Northwest,
 12 on the north by New York Avenue Northwest, on the west
 13 by 11th Street Northwest, and on the south by H Street
 14 Northwest.

15 **SEC. 204. CONVEYANCE OF PORTION OF RFK STADIUM SITE**
 16 **FOR EDUCATIONAL PURPOSES.**

17 Section 7 of the District of Columbia Stadium Act
 18 of 1957 (~~sec. 3-326~~, D.C. Official Code) is amended by
 19 adding at the end the following new subsection:

20 “(e)(1) Upon receipt of a written description from the
 21 District of Columbia of a parcel of land consisting of not
 22 more than 15 contiguous acres (hereafter in this sub-
 23 section referred to as ‘the described parcel’), with the long-
 24 est side of the described parcel abutting one of the roads
 25 bounding the property, within the area designated ‘D’ on

1 the revised map entitled ‘Map to Designate Transfer of
 2 Stadium and Lease of Parking Lots to the District’ and
 3 bound by Oklahoma Avenue Northeast, Benning Road
 4 Northeast, the Metro line, and Constitution Avenue
 5 Northeast, and a long-term lease executed by the District
 6 of Columbia that is contingent upon the Secretary’s con-
 7 veyance of the described parcel and for the purpose con-
 8 sistent with this paragraph, the Secretary shall convey all
 9 right, title, and interest in the described parcel to the Dis-
 10 trict of Columbia for the purpose of siting, developing, and
 11 operating an educational institution for the public welfare,
 12 with first preference given to a pre-collegiate public board-
 13 ing school.

14 “(2) Upon conveyance under paragraph (1), the por-
 15 tion of the stadium lease that affects the described parcel
 16 and all the conditions associated therewith shall terminate,
 17 the described parcel shall be removed from the ‘Map to
 18 Designate Transfer of Stadium and Lease of Parking Lots
 19 to the District’, and the long-term lease described in para-
 20 graph (1) shall take effect immediately.”

21 **TITLE III—POPLAR POINT**

22 **SEC. 301. CONVEYANCE OF POPLAR POINT TO DISTRICT OF** 23 **COLUMBIA.**

24 (a) CONVEYANCE.—Upon certification by the Sec-
 25 retary of the Interior (acting through the Director) that

1 the District of Columbia has adopted a land-use plan for
 2 Poplar Point which meets the requirements of section 302,
 3 the Director shall convey to the District of Columbia all
 4 right, title, and interest of the United States in Poplar
 5 Point, in accordance with this title.

6 (b) WITHHOLDING OF EXISTING FACILITIES AND
 7 PROPERTIES OF NATIONAL PARK SERVICE FROM INITIAL
 8 CONVEYANCE.—The Director shall withhold from the con-
 9 veyance made under subsection (a) the facilities and re-
 10 lated property (including necessary easements and utilities
 11 related thereto) which are occupied or otherwise used by
 12 the National Park Service in Poplar Point ~~prior to the~~
 13 ~~adoption of the land-use plan referred to in subsection (a),~~
 14 ~~as identified in such land-use plan in accordance with sec-~~
 15 ~~tion 302(c).~~ *until such terms for conveyance are met under*
 16 *section 303.*

17 (c) *DEED RESTRICTION FOR PARK PURPOSES.*—*The*
 18 *deed for the conveyance of Poplar Point provided for in sub-*
 19 *section (a) shall include a restriction requiring that* 70
 20 *acres be maintained for park purposes in perpetuity, as*
 21 *identified in the land use plan required under section 302.*
 22 *Any person (including an individual or public entity) shall*
 23 *have standing to enforce the requirement.*

1 **SEC. 302. REQUIREMENTS FOR POPLAR POINT LAND-USE**
2 **PLAN.**

3 (a) IN GENERAL.—The land-use plan for Poplar
4 Point meets the requirements of this section if the plan
5 includes each of the following elements:

6 (1) The plan provides for the reservation of a
7 portion of Poplar Point for park purposes, in accord-
8 ance with subsection (b).

9 (2) The plan provides for the identification of
10 existing facilities and related properties of the Na-
11 tional Park Service, and the relocation of the Na-
12 tional Park Service to replacement facilities and re-
13 lated properties, in accordance with subsection (c).

14 (3) Under the plan, at least two sites within the
15 areas designated for park purposes are set aside for
16 the placement of potential commemorative works to
17 be established pursuant to chapter 89 of title 40,
18 United States Code, and the plan includes a commit-
19 ment by the District of Columbia to convey back
20 those sites to the National Park Service at the ap-
21 propriate time, as determined by the Secretary.

22 (4) To the greatest extent practicable, the plan
23 is consistent with the Anacostia Waterfront Frame-
24 work Plan referred to in section 103 of the Ana-
25 costia Waterfront Corporation Act of 2004 (sec. 2–
26 1223.03, D.C. Official Code).

1 (b) RESERVATION OF AREAS FOR PARK PUR-
 2 POSES.—The plan shall identify a portion of Poplar Point
 3 consisting of not fewer than 70 acres (including wetlands)
 4 which shall be reserved for park purposes and shall require
 5 such portion to be reserved for such purposes in per-
 6 petuity; ~~and shall provide that any person (including an~~
 7 ~~individual or a public entity) shall have standing to enforce~~
 8 ~~the requirement.~~ .

9 (c) IDENTIFICATION OF EXISTING AND REPLACE-
 10 MENT FACILITIES AND PROPERTIES FOR NATIONAL PARK
 11 SERVICE.—

12 (1) IDENTIFICATION OF EXISTING FACILI-
 13 TIES.—The plan shall identify the facilities and re-
 14 lated property (including necessary easements and
 15 utilities related thereto) which are occupied or other-
 16 wise used by the National Park Service in Poplar
 17 Point prior to the adoption of the plan.

18 (2) RELOCATION TO REPLACEMENT FACILI-
 19 TIES.—

20 (A) IN GENERAL.—To the extent that the
 21 District of Columbia and the Director deter-
 22 mine jointly that it is no longer appropriate for
 23 the National Park Service to occupy or other-
 24 wise use any of the facilities and related prop-

erty identified under paragraph (1), the plan shall—

(i) identify other suitable facilities and related property (including necessary easements and utilities related thereto) in the District of Columbia to which the National Park Service may be relocated;

(ii) provide that the District of Columbia shall take such actions as may be required to carry out the relocation, including preparing the new facilities and properties and providing for the transfer of such fixtures and equipment as the Director may require; and

(iii) set forth a timetable for the relocation of the National Park Service to the new facilities.

(B) RESTRICTION ON USE OF PROPERTY RESERVED FOR PARK PURPOSES.—The plan may not identify any facility or property for purposes of this paragraph which is located on any portion of Poplar Point which is reserved for park purposes in accordance with subsection (b).

1 (3) CONSULTATION REQUIRED.—In developing
 2 each of the elements of the plan which are required
 3 under this subsection, the District of Columbia shall
 4 consult with the Director.

5 **SEC. 303. CONVEYANCE OF REPLACEMENT FACILITIES AND**
 6 **PROPERTIES FOR NATIONAL PARK SERVICE.**

7 (a) CONVEYANCE OF FACILITIES AND RELATED
 8 PROPERTIES.—Upon certification by the Director that the
 9 facilities and related property to which the National Park
 10 Service is to be relocated under the land-use plan under
 11 this title (in accordance with section 302(c)) are ready to
 12 be occupied or used by the National Park Service—

13 (1) the District of Columbia shall convey to the
 14 Director all right, title, and interest, *at no cost*, in
 15 the facilities and related property (including nec-
 16 essary easements and utilities related thereto) to
 17 which the National Park Service is to be relocated
 18 (without regard to whether such facilities are located
 19 in Poplar Point); and

20 (2) the Director shall convey to the District of
 21 Columbia all, right, title, and interest in the facilities
 22 and related property which were withheld from the
 23 conveyance of Poplar Point under section 301(b)
 24 and from which the National Park Service is to be
 25 relocated.

1 (b) RESTRICTION ON CONSTRUCTION PROJECTS
2 PENDING CERTIFICATION OF FACILITIES.—

3 (1) IN GENERAL.—The District of Columbia
4 may not initiate any construction project with re-
5 spect to Poplar Point until the Director makes the
6 certification referred to in subsection (a).

7 (2) EXCEPTION FOR PROJECTS REQUIRED TO
8 PREPARE FACILITIES FOR OCCUPATION BY NA-
9 TIONAL PARK SERVICE.—Paragraph (1) shall not
10 apply with respect to any construction project re-
11 quired to ensure that the facilities and related prop-
12 erty to which the National Park Service is to be re-
13 located under the land-use plan under this title (in
14 accordance with section 302(c)) are ready to be oc-
15 cupied by the National Park Service.

16 **SEC. 304. POPLAR POINT DEFINED.**

17 In this title, “Poplar Point” means the parcel of land
18 in the District of Columbia which is owned by the United
19 States and which is under the administrative jurisdiction
20 of the District of Columbia or the Director on the day
21 before the date of enactment of this Act, and which is
22 bounded on the north by the Anacostia River, on the
23 northeast by and inclusive of the southeast approaches to
24 the 11th Street bridges, on the southeast by and inclusive
25 of Route 295, and on the northwest by and inclusive of

1 the Frederick Douglass Memorial Bridge approaches to
 2 Suitland Parkway, as depicted on the Map.

3 **TITLE IV—GENERAL** 4 **PROVISIONS**

5 **SEC. 401. DEFINITIONS.**

6 In this Act, the following definitions apply:

7 (1) The term “Administrator” means the Ad-
 8 ministrator of General Services.

9 (2) The term “Director” means the Director of
 10 the National Park Service.

11 (3) The term “Map” means the map entitled
 12 “Transfer and Conveyance of Properties in the Dis-
 13 trict of Columbia”, numbered 869/80460, and dated
 14 July 2005, which shall be kept on file in the appro-
 15 priate office of the National Park Service.

16 (4) *The term “park purposes” means landscaped*
 17 *areas, pedestrian walkways, bicycle trails, seating,*
 18 *open-sided shelters, natural areas, recreational use*
 19 *areas, and memorial sites reserved for public use.*

20 ~~(4)~~(5) *The term “Secretary” means the Secretary*
 21 *of the Interior.*

22 **SEC. 402. LIMITATION ON ENVIRONMENTAL LIABILITY.**

23 Notwithstanding any other provision of law—

24 ~~(1) the United States shall not be responsible~~
 25 ~~for any environmental liability, response action, re-~~

1 mediation, corrective action, damages, costs, or ex-
2 penses associated with any property for which title
3 is conveyed to the District of Columbia under this
4 Act or any amendment made by this Act; and

5 (2) all environmental liability, responsibility, re-
6 mediation, damages, costs, and expenses as required
7 by applicable Federal, state and local law, including
8 the Comprehensive Environmental Response, Com-
9 pensation and Liability Act (42 U.S.C. 9601 et
10 seq.), the Federal Water Pollution Control Act
11 (known as Clean Water Act) (33 U.S.C. 1251 et
12 seq.), the Clean Air Act (42 U.S.C. 7401 et seq.),
13 the Solid Waste Disposal Act (42 U.S.C. 6901 et
14 seq.), the Rivers and Harbors Act (33 U.S.C. 540
15 et seq.), the Toxic Substances Control Act (15
16 U.S.C. 2601, et seq.), and the Oil Pollution Act (33
17 U.S.C. 2701 et seq.) for any such property shall be
18 borne by the District of Columbia, which shall con-
19 duct all environmental activity with respect to such
20 properties, and bear any and all costs and expenses
21 of any such activity.

22 **SEC. 403. LIMITATION ON COSTS.**

23 The United States shall not be responsible for paying
24 any costs and expenses incurred by the District of Colum-
25 bia or any other parties at any time in connection with

1 effecting the provisions of this Act or any amendment
 2 made by this Act, including costs and expenses associated
 3 with surveys, zoning, land-use processes, transfer taxes,
 4 recording taxes, recording fees, as well as the costs associ-
 5 ated with the relocation of the National Park Service to
 6 replacement facilities required under the land-use plan for
 7 Poplar Point described in section 302(c)(2).

8 **SEC. 402. LIMITATION ON COSTS.**

9 *The United States shall not be responsible for paying*
 10 *any costs and expenses, other than costs and expenses re-*
 11 *lated to or associated with environmental liabilities or*
 12 *cleanup actions provided under law, which are incurred by*
 13 *the District of Columbia or any other parties at any time*
 14 *in connection with effecting the provisions of this Act or*
 15 *any amendment made by this Act.*

16 **SEC. 403. AUTHORIZATION OF PARTIES TO ENTER INTO**
 17 **CONTRACTS.**

18 *An officer or employee of the United States or the Dis-*
 19 *trict of Columbia may contract for payment of costs or ex-*
 20 *penses related to any properties conveyed under quitclaim*
 21 *deed under this Act or any amendment made by this Act.*

22 **SEC. 404. NO EFFECT ON COMPLIANCE WITH ENVIRON-**
 23 **MENTAL LAWS.**

24 *Nothing in this Act or any amendment made by this*
 25 *Act may be construed to affect or limit the application of*

1 *or obligation to comply with any environmental law, in-*
2 *cluding section 120(h) of the Comprehensive Environmental*
3 *Response, Compensation, and Liability Act of 1980 (42*
4 *U.S.C. 9620(h)).*

5 **SEC. 404 405. DEADLINE FOR PROVISION OF DEEDS AND**
6 **RELATED DOCUMENTS.**

7 With respect to each property conveyed under this
8 Act or any amendment made by this Act, the Mayor of
9 the District of Columbia, the Administrator, or the Sec-
10 retary (as the case may be) shall execute and deliver a
11 quitclaim deed or prepare and record a transfer plat, as
12 appropriate, not later than 6 months after the property
13 is conveyed.

Calendar No. 581

109TH CONGRESS
2D Session
S. 1838

A BILL

To provide for the sale, acquisition, conveyance, and exchange of certain real property in the District of Columbia to facilitate the utilization, development, and redevelopment of such property, and for other purposes.

August 3, 2006

Reported with amendments